

CHAPTER 123

H.P. 1465 - L.D. 1962

Resolve, to Reduce Pollution of Androscoggin Lake by Repairing and Altering the Existing State-owned Barrier on Dead River in Leeds

Sec. 1. Study; report. Resolved: That, using funds appropriated under this resolve for these purposes, the Department of Environmental Protection has the following duties.

1. Protection of Androscoggin Lake; feasibility study. The Commissioner of Environmental Protection, working with the Department of Agriculture, Food and Rural Resources, affected municipalities, businesses, property owners, nongovernmental organizations and interested citizens and using funds provided in this resolve, shall undertake such technical evaluations as necessary to determine the feasibility of and costs for options for permanent flood control structures on Dead River in the Town of Leeds, Androscoggin County that eliminate or minimize the adverse environmental impacts to Androscoggin Lake resulting from polluted waters flowing into the lake from the Androscoggin River.

2. Report. No later than January 1, 2003, the Commissioner of Environmental Protection shall submit a written report on any feasibility study undertaken pursuant to this resolve to the joint standing committee of the Legislature having jurisdiction over agricultural matters. That report must include, but is not limited to:

A. An analysis of conventional and toxic water-borne pollutants entering Androscoggin Lake, including the sources of these pollutants, their amounts and their impacts to water quality and to fisheries and wildlife, and methods and plans for controlling and minimizing the discharge of these pollutants;

B. Recommendations on alternative permanent flood control structures available to eliminate some or all of the flow of water from the Androscoggin River into Androscoggin Lake and the location, construction feasibility and costs of these alternatives, including, if necessary, the cost of removing the existing state-owned dam on Dead River in the Town of Leeds, Androscoggin County;

C. A recommendation of the Department of Environmental Protection's preferred permanent flood control structure, including cost estimates and a plan to obtain necessary funding for its construction and maintenance;

D. Recommendations on the permanent future ownership of the structure; and

E. Any other matters relevant to the purposes of the study.

The Department of Environmental Protection shall seek and may accept up to \$15,000 in additional funds for this study from Androscoggin County or the Town of Leeds or the Town of Wayne or from any public or private group or groups having an interest in Androscoggin Lake, or any combination of those entities. Funds received for these purposes may be expended only for the purposes set forth in this section. Unexpended money must be returned to the contributing entities on a pro rata basis; and be it further

Sec. 2. Legislation authorized. Resolved: That the joint standing committee of the Legislature having jurisdiction over agricultural matters may report out emergency legislation to the First Regular Session of the 121st Legislature on any issue pertaining to the state-owned dam on Dead River in the Town of Leeds, Androscoggin County; and be it further

Sec. 3. Removal of dam prohibited. Resolved: That, notwithstanding any other provision of law, the Commissioner of Agriculture, Food and Rural Resources may not remove, cause to be removed or seek to have removed the state-owned dam on Dead River in the Town of Leeds, Androscoggin County. This section is repealed July 1, 2003; and be it further

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**AGRICULTURE, FOOD AND RURAL RESOURCES,
DEPARTMENT OF**

Office of the Commissioner

Initiative: Allocates funds from the Dam Repair and Reconstruction Fund for emergency temporary repairs to the state-owned dam on Dead River in the Town of Leeds, Androscoggin County.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$0	\$40,000

**AGRICULTURE, FOOD AND RURAL RESOURCES,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2001-02	2002-03
OTHER SPECIAL REVENUE FUNDS	\$0	\$40,000
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$40,000

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Land and Water Quality

Initiative: Allocates funds from the Dam Repair and Reconstruction Fund for technical evaluations to determine the feasibility of and costs for options for permanent flood control structures on Dead River in the Town of Leeds, Androscoggin County.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$0	\$20,000

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF
DEPARTMENT TOTALS**

	2001-02	2002-03
OTHER SPECIAL REVENUE FUNDS	\$0	\$20,000
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$20,000

SECTION TOTALS

	2001-02	2002-03
OTHER SPECIAL REVENUE FUNDS	\$0	\$60,000

SECTION TOTAL - ALL FUNDS	\$0	\$60,000
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